IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2131 OF 2003

IN

FIRST APPEAL ST. NO. 14144 OF 2003

The New India Assurance
Company Ltd., .. Applicant.

vs.

Deviben Bhimbhai Solanki
& Ors. .. Respondents.

Mr. Mayur Joglekar h/f. M/s. Singhania & Co.
for Applicant.
Mr. Taj Katdare & Ms. Alpha Zaveri for R. Nos. 1 & 2.

CORAM: J.N. PATEL &
A.A. SAYED, JJ.
DATE: 28TH AUGUST 2007.

P.C.

. Heard.

2. Though we are not satisfied with the explanation offered by the applicant insurance company for filing the appeal beyond the stipulated period of limitation, still, in order to give fair opportunity to

the applicant we are inclined to condone the delay but subject to payment of cost of Rs. 5000/- to be deposited within four weeks. On such cost being deposited, the respondents will be at liberty to withdraw the cost. The applicant may pay the cost directly to the learned counsel for the respondents. The appeal be listed for admission after the cost is paid.

(J.N. Patel, J.)

(A.A. Sayed, J.)